ORDINANCE NO. 849

AN ORDINANCE TO CREATE SECTION 18-82 OF THE CITY OF FORT ATKINSON CODE OF GENERAL ORDINANCES RELATING TO CERTIFICATES OF OCCUPANCY FOR CHANGES OF USE

NOW THEREFORE, the City Council of the City of Fort Atkinson, Wisconsin, does hereby ordain as follows:

Section 1. Creates Sec. 18-82. Certificate of Occupancy Required to read as follows:

"Sec. 18-82. - Certificate of Occupancy Required.

(a) **Requirement.** No building or structure, or part thereof, shall be used or occupied, and no change of use of any building or structure, or portion thereof, shall occur until a Certificate of Occupancy has been issued by the building inspector. A change of use shall include any modification in the type of occupancy, use classification, or activity conducted within a space as defined by the Wisconsin Commercial Building Code.

(b) **Application.** The owner, agent, or tenant shall submit an application for a Certificate of Occupancy to the building inspector on a form provided by the city, along with any required documentation demonstrating code compliance for the new use.

(c) **Inspection.** Prior to issuing a Certificate of Occupancy, the building inspector shall inspect the premises to ensure compliance with all applicable building, fire, health, and zoning regulations. If the premises fail the initial inspection, any subsequent reinspection required to verify compliance shall be subject to the reinspection fee provisions set forth in Chapter 1-16 of this code.

(d) **Penalty.** Any person who occupies or permits the occupancy or use of a building in violation of this section shall be subject to the penalties outlined in section 1-10 and 1-16 of the City of Fort Atkinson Code of Ordinances. Each day of noncompliance shall constitute a separate offense.

(e) **Exemptions.** Minor changes of use that do not impact occupancy classification, life, safety, or code compliance, as determined by the building inspector, may be exempt from this requirement.

Secs.18-83—18-115. – Reserved"

Section 2. This ordinance shall take effect after passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this 5 day of Aug., 2025.

Fort Atkinson City Council

Kyle Jaeckel, President

ATTEST:

Michelle Ebbert, City Clerk/Treasurer/Finance Director